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JAMES V. SCARBOUGH, et al.

Plaintiffs,

-against-

UNITED STATES OF AMERICA, et al.

Defendants.
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07 Civ. 6695 (THK)

SCHEDULING ORDER

FROM: THEODORE H. KATZ, UNITED STATES MAGISTRATE JUDGE.

The parties having consented to proceed before this Court for all purposes, including trial, pursuant to 28 U.S.C. 636(c); and the parties having participated in an initial pretrial conference with the Court to discuss the proposed pretrial discovery in this matter; it is hereby ORDERED:

1. There shall be no further amendments to the pleadings, without a showing of good cause, after December 18, 2007.

2. By March 14, 2008, the parties shall advise the Court on the progress of fact discovery, and will indicate whether the parties believe that a settlement conference may be productive.

3. By April 15, 2008, the parties shall complete fact discovery.

4. By April 30, 2008, Plaintiffs shall produce their expert witness report(s) to Defendants.

5. By May 30, 2008, Defendants shall produce their rebuttal expert witness report(s) to Plaintiffs.

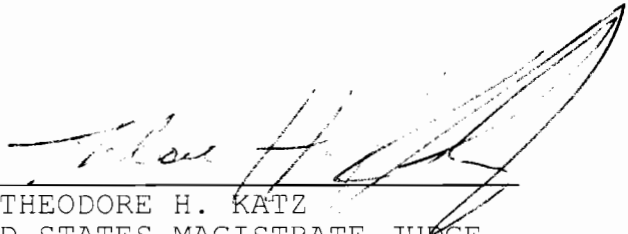
6. By June 20, 2008, the parties shall complete depositions of expert witnesses.

The following rules shall govern all pretrial proceedings in

If any discovery disputes arise during this case, the parties must make a good faith effort to resolve them. If disputes cannot be resolved, they should be brought to the Court's attention by letter. This letter should be brief and to the point so as to allow for expeditious resolution of discovery disputes without the need for formal motions. A responsive letter should be submitted within five days. Failure to bring disputes to my attention promptly and in advance of the discovery deadline will result in a waiver of remedies as to such disputes.

Telephonic applications will be entertained only where disputes arise in the course of depositions or in genuine emergencies. In all other cases, applications must be made by letter to my chambers. If the application is for an extension of time, the letter-application (indicating whether all parties consent) must be delivered to my chambers at least ten days prior to the original due date.

SO ORDERED.



THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

Dated: October 25, 2007
New York, New York